

REMARKS

In the Office Action mailed June 1, 2004, the Examiner rejected claims 20-40. By way of the foregoing amendments and the markings to show changes, Applicants have amended the specification. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

I. Drawings

The Office Action has suggested that Figure 1 should be provided with, "a legend such as —Prior Art—because only that which is old is illustrated". Applicant suggest that such a legend should not be added to Figure 1 since Figure 1 shows the sleeve 20 (albeit in schematic), which is at least part of the invention of the present application.

II. Information Disclosure Statement

The Office Action suggested that the information disclosure statement filed February 11, 2004 fails to comply with 37 CFR 1.98(a)(2). Applicants submitted proper Information Disclosure Statements, which require that the USPTO review all references included in those. Applicants request that the Examiner give an indication of consideration of all references cited. Applicants have resubmitted forms PTO-1449, PTO/SB/08A and PTO/SB/08B such that the references can be indicated as considered. Applicants have also assembled and have included copies of particular references for which consideration is desired. The assembled references along with new references have been submitted and attached in a new Supplemental Information Disclosure Statement, which has been separated from the other PTO-1449, PTO/SB/08A and PTO/SB/08B forms as a single clipped together package.

III. Specification

The Office Action objected to the abstract suggesting that, "it should be drawn to the method as claimed." Applicants have revised the abstract in accordance with this suggestion.

The Office Action objected to the title suggesting that it should be, "indicative of the invention to which the claims are directed." Applicants have revised the title in accordance with this suggestion.

The Office Action objected to the disclosure suggesting that in the first sentence, "- - now U.S. Patent Number 6,641,208, - - should be inserted after 'August 12, 2002'." Applicants have revised the specification in accordance with this suggestion.

IV. Claim Rejections – 35 USC 112

The Office Action rejected claims 20-36, "as being indefinite."

The Office Action suggested that the phrase "at least one opening" in claims 20 and 31 "is unclear because the claim also recites 'a first open end to a second open end' in lines 4-5." The Office Action goes on to suggest that, "Because of the limitation 'first open end to a second open end' it appears that the carrier has at least two openings." Further, the Office Action suggests that, "It is also unclear whether the limitation 'at least one opening' refers to the first and second open ends of the carrier because these are openings."

Applicants traverse this rejection and suggest that the claims, as written, are definite. Both of claims 20 and 31 claim a carrier that has a first open end and a second open end. The carrier also has at least one opening that extends through the carrier. Open ends of the carrier and at least one opening extending through the carrier are shown in the figures and supported by the specification and should be clear. It is unnecessary in these claims, as presently written, that there be a relationship between the ends and the at least one openings. Applicants are further of the opinion that there is no requirement in law that such ends and such at least one opening be related to each other since both of their relations to the carrier are described in the claims. Applicants reserve the right to establish a relationship between the ends and the at least one opening if such a need arises.

V. Claim Rejection under 35 USC 102 or 103

The Office Action rejected claims 20-40 as being unpatentable, under 35 USC 102 or 103, over Hopton et al (6,199,940) alone or in combination with other references.

It is respectfully submitted that the claims contain language over the cited references and the claimed invention is not obvious to one of ordinary skill in the art in view of the cited references taken individually or in combination. However, in order to expedite prosecution of the above-identified application, Applicants submit herewith a rule 131 declaration swearing behind the Hopton et al. reference. As such, Applicants request that the rejections based upon the Hopton et al. reference be withdrawn.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants intend to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

PETITION FOR EXTENSION OF TIME

Applicants respectfully request and petition an appropriate extension of time to respond to the outstanding Office Action, of at least one month. Enclosed is a check in the amount of \$110.00. For any deficiencies, please charge Deposit Account No. 50-1097 for any fee which may be due.

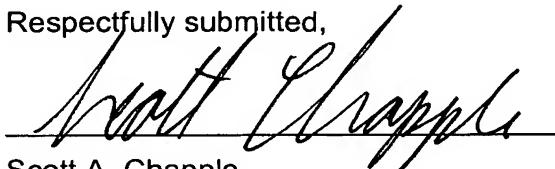
CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 593-9900.

If for some reason Applicant has not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 50-1097 for any fee which may be due.

Respectfully submitted,

Dated: 30 Sept., 2004



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